

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAVID JUAREZ,

Plaintiff,

Case No. 19-cv-1593-pp

v.

KENOSHA SHERIFF'S DEPARTMENT,
and KENOSHA COUNTY CITY JAIL OF
THE SHERIFF'S DEPARTMENT,

Defendants.

ORDER DISMISSING CASE

At a hearing on October 7, 2020, the court granted the defendants' motion to dismiss because the defendants were not suable entities under 42 U.S.C. §1983, but told the plaintiff that it would give him a deadline of October 30, 2020 by which to file an amended complaint. Dkt. No. 41. On October 8, 2020, the court issued a written order explaining its reasoning and reiterating the October 30, 2020 deadline for the plaintiff to file an amended complaint. Dkt. No. 40. The court stated at the end of that order that if it did not receive an amended complaint from the plaintiff by the end of the day on October 30, 2020, the court would dismiss the case on the next business day without further notice or hearing. Id. at 27. The plaintiff has not filed an amended complaint.

The court **ORDERS** that this case is **DISMISSED**. The clerk will enter judgment accordingly.

This order and the judgment to follow are final. A dissatisfied party may appeal this court's decision to the Court of Appeals for the Seventh Circuit by filing in this court a notice of appeal within 30 days of the entry of judgment. See Fed. R. of App. P. 3, 4. This court may extend this deadline if a party timely requests an extension and shows good cause or excusable neglect for not being able to meet the 30-day deadline. See Fed. R. App. P. 4(a)(5)(A).

Under limited circumstances, a party may ask this court to alter or amend its judgment under Federal Rule of Civil Procedure 59(e) or ask for relief from judgment under Federal Rule of Civil Procedure 60(b). Any motion under Federal Rule of Civil Procedure 59(e) must be filed within 28 days of the entry of judgment. The court cannot extend this deadline. See Fed. R. Civ P. 6(b)(2). Any motion under Federal Rule of Civil Procedure 60(b) must be filed within a reasonable time, generally no more than one year after the entry of the judgment. The court cannot extend this deadline. See Fed. R. Civ. P. 6(b)(2).

The court expects parties to closely review all applicable rules and determine, what, if any, further action is appropriate in a case.

Dated in Milwaukee, Wisconsin this 3rd day of November, 2020.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge